Preparatory Committee for the 1995 Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/PC.III/13
14 September 1994
ORIGINAL: ENGLISH

Third session
Geneva, 12-16 September 1994

LETTER DATED 14 SEPTEMBER 1994 FROM THE HEAD OF THE DELEGATION OF INDONESIA ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMITTEE FOR THE 1995 CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, TRANSMITTING A DOCUMENT OF THE GROUP OF NON-ALIGNED AND OTHER STATES ON SUBSTANTIVE ISSUES

On behalf of the Group of Non-Aligned and Other States, I have the honour to submit to you a document, covering various aspects which are of paramount importance to the present as well as to the next Preparatory Committee meeting and to the 1995 NPT Review and Extension Conference.

It would be highly appreciated if you could take the necessary steps to include it as an official document of the Preparatory Committee meeting and at the same time to make it available to all NPT States Parties.

(signed) Agus Tarmidzi
Ambassador/Head of Indonesian Delegation

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ANNEX

DOCUMENT ON SUBSTANTIVE ISSUES SUBMITTED BY INDONESIA ON BEHALF OF THE GROUP OF NON-ALIGNED AND OTHER STATES

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was conceived as an instrument to prevent the proliferation of nuclear weapons. As part of this endeavor, States Parties which are Nuclear-Weapon States undertook "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" and, at the same time, to promote the peaceful uses of nuclear energy.

2. During the negotiations of the NPT, the Non-Nuclear-Weapon States (NNWSs), particularly the developing countries, sought a fair balance in the Treaty between the mutual obligations and responsibilities of the NWSs and NNWSs which could successfully serve the interests of all States Parties. This possition was endorsed by resolution 2028 (XX) of the UN General Assembly. However, this was not fully realized at the time. Today, more than two decades later, the imbalances between the obligations and responsibilities have grown. There is a stalemate in negotiations aimed at redressing those imbalances, including negotiations in the NPT Review Conferences as well as the Conference on Disarmament.

3. The Non-Aligned Countries value the Non-Proliferation Treaty as a key instrument to channel international efforts to halt vertical and horizontal proliferation of nuclear weapons. Notwithstanding the important role of the Treaty in the maintenance of international security, it should be recognized that the Treaty has fundamental shortcomings that have become the bone of contention between NWSs and NNWSs Parties to the NPT ever since it came into being, thus eroding the perceived value of the Treaty.

4. The preparations for the NPT Conference in 1995 provide an exceptional opportunity towards the realization of the objectives enshrined in the Treaty. Substantive progress on the following areas will contribute to the successful outcome of the review and extension Conference of the NPT:

Nuclear Disarmament

5. The cessation of the nuclear arms race, nuclear disarmament and general and complete disarmament as a whole, continue to be the main objectives of the Treaty. The NWSs should reaffirm their commitment to the complete elimination of nuclear weapons.

6. A time-bound framework and a target date for the total elimination and the efforts by the NWSs to carry forward the process of de-emphasizing the role of nuclear weapons will create a strong political thrust towards international efforts to prevent proliferation of nuclear weapons. A statement by the Russian Federation and the United States indicating the bilateral measures they will take in the future in order to reduce their nuclear arsenals beyond the levels envisaged in the START I and II agreements, would also be a welcome initiative, together with an indication of the steps that China, France and the United Kingdom would be willing to take in light of the reductions referred to above.

Nuclear-Weapons-Free Zones

7. NWSs should abide and adhere to those international instruments that have established nuclear-weapons-free zones, and to support the initiatives taken by a State or States Parties with a view to establishing nuclear-weapon-free zones, freely arrived at among the States of the region concerned, particularly in the regions of the Middle-East and Africa.

8. Furthermore, deployment of nuclear weapons by NWSs on foreign territories, particularly in NNWs territories, should be prohibited as it negates the objectives of a nuclear-weapons-free zones. All States that have deployed nuclear weapons outside their boundaries should withdraw all those weapons back to their own territories.

Comprehensive Nuclear Test Ban

9. The conclusion of a Comprehensive Nuclear Test Ban Treaty (CTBT) remains one of the highest priority objectives of the international community and the fundamental pillar of an effective and comprehensive non-proliferation regime. All efforts towards the achievement of this objective, including the PTBT Amendement Conference, should be pursued. While the decision by the Conference on Disarmament to establish an ad hoc Committee with a negotiating mandate is welcome, a target date must be set to conclude the negotiations on a CTBT prior to the 1995 NPT Review and Extension Conference. The conclusion of a CTBT would decisively benefit the outcome of the said Conference. Pending the conclusion of such a Treaty, the nuclear-weapon States should suspend all nuclear testing.

Security Assurances

10. Pending the total and complete elimination of nuclear weapons, unconditional security assurances to the NNWSs has been regarded as one of the major concerns. In the context of an acceptable balance of mutual responsibilities and obligations, it is the primary right

of States Parties to the NPT to be assured of non use and threat of use of nuclear weapons. Nuclear Weapons States Parties should agree to a legally binding instrument on this issue before the 1995 Conference. The CD should intensify negotiations with a view to concluding an international convention to assure non-nuclear-weapons States against the use or threat of use of nuclear weapons.

Fissile Material

11. A Treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices would be a significant contribution to nuclear disarmament and nuclear non-proliferation provided that such a treaty is non-discriminatory, effectively verifiable and universally applicable, thus constituting a part of the comprehensive efforts to ban nuclear weapons and lead to their destruction.

Peaceful uses of Nuclear Energy

12. There continues to exist unjustified restrictions and constraints imposed on developing NNWSs regarding full access to nuclear technology for peacefuly purposes. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, must not be used to prevent peaceful development, especially in the nuclear area, and should be removed.

13. The inalienable right of all States Parties to develop the peaceful use of nuclear energy for economic and social development must be reaffirmed by all nuclear and advanced non-nuclear States Parties. It is also essential that free and unimpeded access to technology be guaranteed, without exception, for all States Parties to the Treaty who have concluded relevant safeguards agreements with the IAEA.